

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
NEIL SOOROOJBALLIE,

Plaintiff,

vs.

THE PORT AUTHORITY OF NEW YORK AND
NEW JERSEY and GARY FRATTALI, Individually,

Defendants.
-----X

**DECLARATION IN SUPPORT
OF DEFENDANTS' MOTIONS
PURSUANT TO FED. R. CIV.
P. 50 AND 59**

**15 Civ 1230
(WFK) (PK)**

Kathleen Gill Miller declares, under penalty of perjury pursuant to 28 U.S.C. §1746, as follows:

1. I am an attorney in the Law Department of The Port Authority of New York and New Jersey, and attorney for defendants in this action, The Port Authority of New York and New Jersey and Gary Frattali. I make this Declaration in support of defendants' motions pursuant to Fed. R. Civ. P. 50 and 59, and for the purpose of certifying that the attached documents are true and accurate copies of the trial transcript and exhibits admitted as evidence in the above-captioned case:

Exhibit A - The transcript of the jury verdict dated September 17, 2014

Exhibit B - Trial testimony of Neil Sooroojballie

Exhibit C - Trial testimony of Gary Frattali, pp. 693-736

Exhibit D - Trial testimony of Michael Ford

Exhibit E - Trial Exhibit G-a, Watch Engineer Test Scores

Exhibit F - Trial Exhibit 5, EEO Complaint dated January 21, 2014

Exhibit G - Trial testimony of Wayne Turner

Exhibit H - Trial Exhibits W-1-a and W-1-b, NYCAPS New Hire Packet

- Exhibit I - Trial Exhibits D-1-a – D-1-i, Office of Inspection General Reports
- Exhibit J - Trial Exhibit Z-1, Memorandum from Lysa Scully to Neil Sooroojballie dated October 17, 2014
- Exhibit K - Trial testimony of Ricardo Buchanan
- Exhibit L - Trial testimony of George Sanon
- Exhibit M - Trial testimony of Govind Patel
- Exhibit N - Trial testimony of Eric Francis
- Exhibit O - Trial Exhibit 36, Dr. Martinho's Progress Notes
- Exhibit P - Trial testimony of Dimitris Bournias
- Exhibit Q - Trial Exhibit J, October 18, 2013 Memorandum concerning Holiday Meal Reimbursement
- Exhibit R - Trial Exhibit 4, holiday meal petty cash form for Plaintiff
- Exhibit S - Trial Exhibit M, holiday meal petty cash form for Michael Murphy
- Exhibit T - Trial testimony of Michael Ward
- Exhibit U - Trial Exhibits S, T, V, Emails between plaintiff and Human Resources representative V. Piccinich concerning the Watch Engineer position
- Exhibit V - Trial Exhibit 20, Email dated March 25, 2014
- Exhibit W - Trial Exhibit 21, Email dated April 21, 2014
- Exhibit X - Trial Exhibit 77, Email dated June 3, 2014 from New York City to Plaintiff
- Exhibit Y - Trial Exhibit 27, Memorandum dated December 30, 2013
- Exhibit Z - Trial Exhibit 28, Memorandum dated February 4, 2014
- Exhibit AA - Trial Exhibit 30, Memorandum dated March 27, 2014
- Exhibit BB - Trial Exhibit 29, Memorandum dated March 27, 2014
- Exhibit CC - Trial Exhibit S-1, Memorandum dated July 17, 2014

Exhibit DD - Trial testimony of Stanley Schneider

Exhibit EE - Trial testimony of Dr. Michele Martinho

Exhibit FF - Trial Exhibit 13, Watch Engineer Eligible List

Exhibit GG - Trial Exhibit V-1, The Complaint dated June 2014

2. The Port Authority of New York and New Jersey does not generally indemnify its employees for punitive damage awards.

Dated: New York, New York
October 12, 2018


Kathleen Gill Miller, Esq.